

# EXHIBIT K

**KML LAW GROUP, P.C.**

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GREEN TREE SERVICING LLC

345 St Peter Street

1100 Landmark Towers

St Paul, MN 55102

*Plaintiff*

vs.

CARLOS E. ANDAGANA

JEANNETH C. GONZALEZ

Mortgagor(s) and Record Owner(s)

5334 Delia Terrace

East Stroudsburg, PA 18301

*Defendant(s)*

4182 CV 2015  
IN THE COURT OF COMMON PLEAS

OF Monroe COUNTY

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

CIVIL ACTION: MORTGAGE  
FORECLOSURE

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claim in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

MONROE COUNTY BAR ASSOCIATION - LAWYER REFERRAL SERVICE

913 Main Street

PO Box 786

Stroudsburg, PA 18360

570-424-7288

[monroebar.org](http://monroebar.org)

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta ascantar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

SI USTED NO PUEDE PAGARLE A UN ABOGADO, ÉSTA OFICINA PUEDE PROVEERÉ INFORMACION ACERCA AGENCIAS QUE PUEDAN OFRECER SERVICIOS LEGAL A PERSONAS ELIGIBLE AQ UN HONORARIO REDUCIDO O GRATIS.

PROTESTARY  
JAN 10 6 11 25  
MONROE COUNTY, PA

**MONROE COUNTY BAR ASSOCIATION - LAWYER REFERRAL SERVICE**

913 Main Street  
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Stroudsburg, PA 18360  
570-424-7288  
monroebar.org

**THIS FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT  
A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU  
WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.**

**RESOURCES AVAILABLE FOR HOMEOWNERS IN FORECLOSURE**

**ACT NOW!**

Even though your lender (and our client) has filed an Action of Mortgage Foreclosure against you, you still may be able to **SAVE YOUR HOME FROM FORECLOSURE.**

- 1). Call an attorney. For referrals to a qualified attorney call either of the following numbers: 570-424-7288.
- 2). Call the Consumer Credit Counseling Agency at 1-800-989-2227 for free counseling.
- 3). Visit HUD'S website [www.hud.gov](http://www.hud.gov) for Help for Homeowners Facing the Loss of Their Homes.
- 4). Pennsylvania Housing Finance Agency also offers other loan programs that may assist homeowners in default. Please See the PHFA website <http://www.phfa.org/consumers/homeowners/real.aspx>.
- 5). Call the Plaintiff (your lender) and ask to speak to someone about Loss Mitigation or Home Retention options.
- 6). Foreclosure Resource Center: <http://www.philadelphiafed.org/foreclosure/>
- 7). Call or contact our office to request the amount to bring the account current, or payoff the mortgage or request a Loan Workout / Home Retention Package. Call our toll free number at 1-866-413-2311 or via email at [homeretention@kmlawgroup.com](mailto:homeretention@kmlawgroup.com). Call Seth at 215-825-6329 or fax 215-825-6429. The figure and/or package you requested will be mailed to the address that you request or faxed if you leave a message with that information. The attorney in charge of our firm's Homeowner Retention Department is David Fein who can be reached at 215-825-6318 or Fax: 215-825-6418. Please reference our Attorney File Number of 141555FC.

Para informacion en espanol puede comunicarse con Loretta al 215-825-6344.



**This Action of Mortgage Foreclosure will continue unless you take action to stop it.**

### COMPLAINT IN MORTGAGE FORECLOSURE

1. Plaintiff is GREEN TREE SERVICING LLC, 345 St Peter Street, 1100 Landmark Towers St Paul, MN 55102.
2. The name(s) and address(es) of the Defendant(s) is/are CARLOS E. ANDAGANA, 5334 Delia Terrace, East Stroudsburg, PA 18301 and JEANNETH C. GONZALEZ, 5334 Delia Terrace, East Stroudsburg, PA 18301, who is/are the mortgagor(s) and record owner(s) of the mortgaged premises hereinafter described.
3. On March 27, 2002 mortgagor(s) made, executed and delivered a mortgage upon the Property hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ACTING SOLELY AS NOMINEE FOR GMAC MORTGAGE CORPORATION, which mortgage is recorded in the Office of the Recorder of Deeds of Monroe County on March 28, 2002 as Book 2118 Page 4991. The mortgage has been assigned to: GREEN TREE SERVICING LLC by assignment of Mortgage recorded on November 10, 2014 as Book 2445 Page 9804. The Mortgage and Assignment(s) (if any) are matters of public record and are incorporated by this reference in accordance with Pennsylvania Rule of Civil Procedure 1019(g); which Rule relieves the Plaintiff from its obligation to attach documents to pleadings if those documents are matters of public record.
4. The Property subject to the Mortgage is more fully described in the legal description set forth as Exhibit "A" ("Property").
5. The mortgage is in default because the monthly payments of principal and interest are due and unpaid for September 01, 2014 and each month thereafter and by the terms of the Mortgage, upon default in such payments for a period of one month or more, the entire principal balance and all interest due and other charges are due and collectible.
6. The following amounts are due to Plaintiff on the Mortgage as of June 4, 2015:
 

Principal Balance .....	\$141,475.57
Interest from 08/01/2014 to 6/4/2015 at 7.0000%.....	\$8,334.22
Per Diem interest rate at \$27.14	
Late Charges .....	\$234.16
Escrow Balance .....	\$2,483.31
	<b>\$ 152,527.26</b>
7. Plaintiff is not seeking a judgment of personal liability (or an "in personam" judgment) against the Defendants in this Action but reserves its right to bring a separate Action to establish that right, if such right exists. If Defendants have received a discharge of their personal liability in a Bankruptcy proceeding, this Action of Mortgage Foreclosure is, in no way, an attempt to re-establish the personal liability that was discharged in Bankruptcy, but only to foreclose the Mortgage and sell the Property pursuant to Pennsylvania law.
8. Plaintiff sent Defendants the notice as required by 35 P.S. Section 1680.401 et. seq. (Act 91 of 1983) or by 41 P.S. Section 403 (Act 6 of 1974) or as required by the Mortgage ("Notice"). A true and correct copy of the Notice is attached and incorporated as Exhibit "B".

WHEREFORE, Plaintiff demands a de terris judgment in mortgage foreclosure in the sum of \$152,527.26, together with interest at the rate of \$27.14, per day and reasonable attorney fees, costs, expenses and charges incurred by the Plaintiff which are properly chargeable in accordance with the terms of the Note and Mortgage and Pennsylvania law until the Mortgage is paid in full, and for the foreclosure of the Mortgage and Sheriff's Sale of the Property.

By:   
KML LAW GROUP, P.C.  
\_\_\_\_ Michael McKeever Pa. ID 56129  
\_\_\_\_ Jay E. Kivitz Pa. ID 26769  
\_\_\_\_ Lisa Lee Pa. ID 78020  
\_\_\_\_ Kristina Murtha Pa. ID 61858  
\_\_\_\_ David Fein Pa. ID 82628  
\_\_\_\_ Thomas Puleo Pa. ID 27615  
\_\_\_\_ Joshua I. Goldman Pa. ID 205047  
\_\_\_\_ Jill P. Jenkins Pa. ID 306588  
\_\_\_\_ Andrew F. Gornall Pa. ID 92382  
\_\_\_\_ Alyk L. Oflazian Pa. ID 312912  
\_\_\_\_  Cristina Lynn Connor Pa. ID 318389  
\_\_\_\_ Victoria W. Chen Pa. ID 317741  
Attorneys for Plaintiff

VERIFICATION

I, Theresa Geibel, as the representative of the Plaintiff within named do hereby verify that I am authorized to and do make this verification on behalf of the Plaintiff and the facts set forth in the foregoing Complaint are true and correct to the best of my information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

GREEN TREE SERVICING LLC

Date: 10-4-15

  
Name: Theresa Geibel  
Title: Foreclosure Specialist

#141555FC - CARLOS E. ANDAGANA and JEANNETH C. GONZALEZ  
5334 Delia Terrace East Stroudsburg, PA 18301